

HONORABLE MARY JO HESTON  
HEARING DATE: November 6, 2018  
TIME: 9:00 am  
RESPONSE DATE: October 30, 2018  
CHAPTER 7  
Vancouver, WA

IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT COURT OF WASHINGTON

Re:

Galen Ray  
Nicole Ray

Debtor(s)

In Chapter 7 Proceeding  
No. 13-41147-BDL

Notice of Hearing on  
Motion to Reopen Case  
Avoid Judgment Lien(s)  
of Capital One Bank and  
Portfolio Recovery Assoc.

TO: Clerk of Court, U.S. Trustee; Debtor(s); Capital One Bank and Portfolio Recovery Assoc.

Please take note that the issue of law in this case will be heard on the date below and the Clerk is requested to note this issue on the motion docket for that day.

HEARING DATE: **November 6, 2018**

TIME: 9:00 am

PLACE: Vancouver Federal Building  
500 West 12<sup>th</sup> St., 2<sup>nd</sup> Floor  
Vancouver, WA

JUDGE: Mary Jo Heston

IF YOU OPPOSE the Motion, you must file your written response with the Court Clerk, serve two copies on the Judge's chambers, serve one copy on the undersigned attorney, and serve one copy of your response on each of the persons set forth on the Certificate of Service attached hereto, NO LATER THAN THE RESPONSE DATE, which is **October 30, 2018**.

**IF NO RESPONSE IS TIMELY FILED AND SERVED, THE COURT MAY, IN ITS DISCRETION, GRANT THE MOTION PRIOR TO THE HEARING WITHOUT FURTHER NOTICE, AND STRIKE THE HEARING.**

Dated: September 28, 2018

/s/ Susan H. Seelye

Susan H. Seelye, WSBA #28825  
Attorney(s) for Debtor(s)

NOTICE OF HEARING AND MOTION TO  
REOPEN CASE & AVOID JUDGMENT LIEN(S) 1

**BROWN and SEELYE PLLC**  
744 South Fawcett Ave.  
Tacoma, WA 98402  
253-573-1958

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1) Debtors filed a petition for relief under the United States Bankruptcy Code, Title 11 U.S.C. on **February 23, 2013**.

(A) Capital One Bank (USA), NA vs Galen W. Ray, Cowlitz County Superior Court, State of Washington, Judgment No. 12-9-01362-1 filed September 14, 2012, Superior Court Case No. 12-2-00666-1, in the amount of \$2,570.66.

3) This Court has jurisdiction over the parties to and the subject matter of this action as provided for under the United States Bankruptcy Code.

1           5)       The value of the property on the date of filing as listed on the Debtors'  
2 schedules and the non-voidable liens are as follows:

3  
4           **Market value of Property:               \$ 123,108.00**

5           **Mortgage Balances(s):               \$ 188,740.00**

6           **Equity:                               \$-0-**

7           6)       That the liens on the above described property, if not avoided, will impair any  
8 exemption to which the Debtors would have been entitled under the exemptions as set forth in  
9 11 USC §522. That the Debtors are entitled to the exemptions allowed under the bankruptcy  
10 code.

11  
12          Dated: September 28,2018

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14          /s/ Susan H. Seelye  
15          Susan H. Seelye, WSBA #28825  
16          Attorney for Debtors

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**CERTIFICATE OF SERVICE**

THE UNDERSIGNED hereby certifies:

On the date set forth below, I caused to be delivered by the method indicated below, a true and correct copy of **NOTICE OF HEARING AND MOTION TO AVOID JUDGMENT LIENS OF Capital One Bank and Portfolio Recovery Assoc along with a copy of the PROPOSED ORDER** properly addressed to the debtor(s) and each of the following and by regular and certified mail:

Capital One Bank  
Attn: President or CEO  
1680 Capital One Drive  
McLean, VA 22102

Suttell & Hammer  
P.O. Box C-90006  
Bellevue, WA 98009

Portfolio Recovery Assoc.  
Attn: President or CEO  
120 Corporate Blvd  
Norfolk, VA 23502

Machol & Johannes  
700 17<sup>th</sup> St., Ste 200  
Denver, CO 80202

Machol & Johannes  
2800 156<sup>th</sup> Ave SE #105  
Bellevue, WA 98007

Signed at Tacoma, Washington on September 28, 2018.

/s/ Susan H. Seelye

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Susan H. Seelye WSBA #28825  
Attorney at Law